



STATE OF NEVADA
STATE CONSERVATION COMMISSION
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DRAFT MINUTES
STATE CONSERVATION COMMISSION

Tuesday, February 21, 2006 at 10:00 AM

Senator Bryan Building

901 S. Stewart St., 2nd Floor, Multiple Purpose Room

Carson City, NV 89701

(775) 684-2760

The State Conservation Commission considered and acted on the following items on February 21, 2006 at 10:00 AM:

Board Members Present: James Settelmeyer-Carson Valley CD, Commission Chairman; Keith Whipple-Lincoln County CD, Commission Vice-Chairman; Judy Currier-CD of Southern Nevada; Howard Glancy-Dayton Valley CD; Sterling Wines-White Pine CD; Vance Vesco-Big Meadow CD and Ed Foster (For Don Henderson)-NV Dept. of Agriculture

Others Present: Allen Biaggi, Director-NV Department of Conservation and Natural Resources; Pam Wilcox, Executive Secretary-NV Division of Conservation Districts; Kelly McGowan-NV Div of Conservation Districts; Chris Freeman, President-Nevada Association of Conservation Districts; Richard Vigil, State Conservationist-Natural Resources Conservation Service; Roger Van Valkenburg, State Director-Farm Services Agency

I. CALL TO ORDER

A. Chairman James Settelmeyer called the meeting to order at 10:03 am. Introductions were made of those present.

II. ACCEPTANCE OF AGENDA AS POSTED – *ACTION*

A. Keith made a motion to accept the agenda as posted. Howard seconded the motion. The motion passed.

III. REVIEW, AMMENDMENT AND APPROVAL OF MINUTES – *ACTION*

A. *November 7 and 9, 2005 meetings minutes.* – Judy suggested amending the minutes for the November 7 meeting under Item IV. Public Comment, paragraph 2. Judy, not Joe, suggested inviting Hugh Ricci, State Engineer to speak at their next meeting. Keith

made a motion to accept the minutes with the amendment. Vance seconded the motion. The motion passed.

- B. Howard made a motion to accept the minutes of the November 9 meeting as submitted. Sterling seconded the motion and the motion passed.

IV. PUBLIC COMMENT

Three-minute time limit per person, limited to items not on the agenda.

- A. There was no public comment.

V. INTERNAL DIVISION REPORTS

A. Status of the Division of Conservation Districts

1. Fiscal Report – Pamela B. Wilcox – Pam advised the Commission that due to the staffing shortage, an updated fiscal report for the division was unavailable. For that same reason, the division is certainly well within the spending limits contained in the budget. An updated fiscal report will be available for the next commission meeting. The Division is in the process of conducting interviews to fill the Administrative Assistant II position. It's quite likely that it will be filled within the next few weeks.
2. General Correspondence – Kelly McGowan – Kelly gave the Commission an update on the NACD annual meeting held in Houston, TX. Kelly spoke of the need to attend district meetings and the ability to offer them some capacity building training. There are several districts that have not yet met the requirement to hold three meetings per year. Kelly will contact those districts to encourage them to schedule the needed meetings and to not wait until the end of the fiscal year to meet the requirement.

VI. REPORTS TO THE COMMISSION (please limit to 5 minutes)

A. Department of Conservation & Natural Resources – Allen Biaggi, Director –

Allen thanked the Commission for inviting him to their meeting. He also apologized to the Commission for not being available to participate in prior meetings since being appointed to his position. He expressed appreciation to the Commission for their service and to all of the conservation districts that strive to enhance and conserve the State of Nevada's renewable natural resources. He noted that he will be more likely to attend meetings if he gets as much advance notice as possible.

Everything in the Department is running smoothly as agencies continue to get settled in the new building. Budget cycles will start in the next few months and he asked the Commission to consider any Bill Draft Requests they may want to initiate. He also advised them the Department is limited to the number of BDR's that they can submit, and that only vital BDR's would be submitted for consideration. The needs of the Department are substantial due to previous years' budget cuts and flat budgets. He again welcomed them to the new Bryan Building and thanked them for their time.

B. Department of Agriculture – Ed Foster for Don Henderson, Director –

NDA hired Tina Mudd to assist Dawn Rafferty with the continued establishment of the Cooperative Weed Management Areas throughout the state and with the weed free hay certification program. Funding for her position came from an approved pesticide registration fee increase.

Nevada remains the only state without a seed certification program; the private sector is supportive of the establishment of such a program.

Public meetings will be held to establish Mormon cricket and grasshopper control needs statewide.

C. University of Nevada, Reno – Dr. Rangesan Narayanan – Not present.

D. Natural Resources Conservation Service – Richard Vigil, State Conservationist –

The Plant Material Center contract has been signed between the USDA and UNR. They hope to have several staff positions for the center filled in the very near future.

The NRCS State Engineer position in Reno remains vacant.

Richard submitted 3 potential areas in Nevada to Washington, DC for Conservation Security Program consideration. South Fork was the only area chosen.

This year there will be \$193,000 available for the Agriculture Management Assistance program.

An energy increase assistance program has been established for the Environmental Quality Incentives Program contracts signed between 1991-2004.

He is hopeful that future funding of programs will at least remain level. They will be encouraged to use 'Cooperative Conservation' in implementing the 2007 Farm Bill. This would entail using and offering assistance with other federal departments (i.e. EPA, USDOT, USFS, BOR, DOI). EQIP funding will remain stable through this spring.

Statewide the agency is seriously lacking engineers and conservation and engineering technicians. Housing prices in western Nevada have made it very difficult to fill positions. A federal review of current staff levels and current workload indicate a need for 119 positions statewide for NRCS. Currently there are 84 positions filled. No funding is available to fill those positions. There is a substantial work backlog. Earmarks within NRCS' budget make it very challenging for states to fulfill their duties. Gas prices have really made it difficult for his staff to travel to producers to offer services.

Under Secretary, Mark Rey was very impressed by the diversity of issues expressed at the listening session held in Mesquite, NV in November.

Now that reorganization is complete, Richard's first priority is to meet with all Conservation Districts within the state. He is looking for good conservation stories to illustrate Nevada's conservation programs.

E. Farm Service Agency – Roger Van Valkenburg, Executive Director –

Washoe, Douglas, Storey, Lyon, Alpine and Mono Counties are eligible for Emergency Conservation Program dollars due to the flooding that occurred in December. Nearly \$500,000 is available in ECP. He is hopeful that NRCS can continue to provide technical assistance to their agency in implementing their programs.

F. Nevada Association of Conservation Districts – President, Chris Freeman –

Chris is putting together a Bill Draft Request to enhance the level of state funding to conservation districts. It will be mailed to each conservation district for review and input.

At the NACD annual conference in Houston, TX Chris had the opportunity to offer testimony for the 2007 Farm Bill. He requested that they continue to fund the Conservation Security Program (CSP), Environmental Quality Incentive Program (EQIP), Farm and Ranchland Reserve Program (FRRP) and the Wildlife Habitat Incentive Program (WHIP) at the current level of funding. He also proposed that they add a component to allow NRCS to offer technical assistance to urban conservation districts' program.

At the NACD annual meeting the board of directors discussed the possibility of establishing a district supervisor certification program. This would require districts to go beyond being "in good standing." In addition, at a minimum, it would require each district to review biennially the Statutes and Administrative Code that created districts and authorize their powers, duties and authorities. Certificates could be awarded at the NvACD annual meeting.

The annual NvACD meeting will be held in Elko, NV on October 24-25, 2006.

VII. OLD BUSINESS

A. Report to the Commission on Eureka Conservation District FY 2005 Financial Report and Quinn River Conservation District reported matching funds and action

taken by staff. Report on distribution of qualifying grant funds to those districts per Commission's direction.

1. *Comments on District Financial Reports for the districts listed above –*

Staff informed the commission that the Eureka CD had submitted their final financial report and that it met the eligibility requirements for them to receive funding in the amount of \$5,000.

Quinn River CD had submitted matching funds documentation to staff. After discussing this with the district Treasurer, staff is recommending that the matching funds not be accepted due because the District Supervisors cannot use their time conducting district business as matching funds (NRS548.310).

2. *District/Public Comments – None.*

➤ *Commission action on acceptance of Financial Reports -*

a) *Eureka Conservation District* – The commission reviewed the Eureka CD's final financial report. After determining that the district was eligible for a grant in the amount of \$5,000, Keith made a motion to approve the financial report and award the district a grant in the amount of \$5,000. Judy seconded the motion and the motion passed.

b) *Quinn River Conservation District* - The commission reviewed Quinn River CD's financial report. Keith recommended that the Quinn River CD account for all justifiable matching funds the district generated. Keith made a motion to allow the Quinn River CD an additional two weeks to document justifiable match. Staff would then be authorized to review and determine the amount of grant funding the District is eligible for, and issue a grant in that amount. Any remaining unexpended grant funds should be reverted back to the State's general fund. Judy seconded the motion and the motion passed.

B. Review and discuss possible partnership opportunities via an internship program with the University of Nevada and Conservation Districts. The Commission may give direction on proposed actions to develop a program.

Dr. Rang Narayanan, University of Nevada Reno was unable to attend the meeting. This item will be rescheduled for a future Commission meeting.

C. Review statutory procedures in determining district standings. Establish a policy or procedure for dealing with districts that are delinquent in their submittal of required reports.

The commission reviewed and discussed required procedures for determining whether districts are in good standing. They did not feel that any of the requirements would be difficult for the districts to meet. Chris Freeman advised the commission that there were public hearings when the code was being developed and that there were no strong objections to any of the reporting requirements by any of the districts. The commission determined that each of the districts should be able to meet the requirements by the due dates. Judy made a motion to instruct staff to send a cover letter with these minutes to each district explaining each of the reporting requirements, with an emphasis on the submission of minutes (even in draft form) within 30 days of holding a meeting. Staff was also asked to advise each district that if they do not meet **each** of the requirements for 'good standing' that their funding may be in jeopardy. Howard seconded the motion and the motion passed unanimously.

Staff will post the logs of submitted agendas and minutes on the agency website. This will allow each district the ability to review what agendas and minutes the division has on file for them. Included in the logs will be the dates when each agenda and minutes

were received. The logs will be updated within the first five working days of each month. This information will also be included in the cover letter.

D. Review and possible action of the Conservation Commission Strategic Plan for 2005-2010

The commission appreciated the effort that has gone into the Strategic Plan. They asked staff to provide them with updates on the actions and the timelines identified in the plan on a quarterly basis during the Commission meetings.

VIII. NEW BUSINESS

A. Presentation on the proposed intra-basin ground water transfers to Las Vegas and the guidelines and procedures the State currently utilizes to minimize the impacts to other water users and the surrounding natural resources. Tracy Taylor for Hugh Ricci, State Engineer, Nevada Division of Water Resources

Tracy gave a short presentation on intra-basin water transfers and the guidelines their Division uses when administering any of the State's groundwater permits. He spoke primarily about the requests to pump groundwater from several basins in east central and central Nevada for municipal use in Clark County. The guidelines for this are the same as they are for any other basins in the State. They do their best to determine how much water recharge occurs within the basin and the amount that can be pumped without detriment to other existing water right holders or to the environment. If a detrimental impact occurs, he explained what procedures the Division would use to address those impacts. His presentation also showed that applications would probably not be allowed to pump as much water as applied for and that, in most cases, it would probably be substantially less than the amount of calculated recharge. He also explained that intra-basin water transfers are not new, and reviewed the history of such transfers.

The commissioners and others present asked Tracy several 'what if' questions. Tracy explained that each complaint or concern would be handled on a case-by-case basis.

The commission asked staff to continue this item on a future agenda and invite additional speakers to address possible impacts to renewable natural resources in this region.

B. Presentation on the demographics of Nevada's agricultural and grazing lands. As these lands become subdivided and developed, what role can the districts serve in assisting counties plan for this growth before it occurs? Clint Wertz, Senior Planner, Nevada Division of State Lands

Clint gave a brief presentation on current trends in the state to convert large tracts of farmland into 'ranchettes' or subdivisions. The rate of conversion seems to be the greatest in western and southern Nevada. Although other areas are also being impacted due to the need for urban areas to develop additional water resources. He spoke about what other states have been or are proposing to do to lessen the impact. He also talked about the role the districts can serve in assisting counties to plan and regulate the growth before it occurs. There are provisions in NRS 548 that districts can utilize to regulate some land uses. He hopes that the Conservation Commission and the State Land Use Planning Advisory Council can work together to begin discussions to review some alternatives to lessen the impact of urban growth.

C. Review the travel policies and procedures for State Conservation Commissioners and Division staff. Pam Wilcox, Kelly McGowan, Sandi Gotta

Due to recent inquiries by the Department's fiscal staff regarding commissioners' travel claims, staff created a travel policy for the commissioner's to refer to when they are arranging travel and when filling out a travel reimbursement form. Essentially, they mirror the Division's in-state travel policy. All state employees and appointed officials are expected to use the most inexpensive method when traveling. They may not be reimbursed for excessive claims.

D. Opportunities for district projects and district assistance to landowners (Solar Power Generation, Recycling, Methane Capturing, Contribution Agreements with NRCS and Technical Service Providers to NRCS, etc.) Kelly McGowan and Sandi Gotta

Kelly would like to explore opportunities grant funding could provide to complete a methane capturing manure digester, solar power generation and recycling programs for rural communities. Kelly mentioned that he is hopeful that the Division will partner with several districts in administering any of these proposed programs. Initially, most of the efforts will be researching what funding opportunities exist and what has been done in other states. The commission will be supportive of the Division's efforts to pursue these opportunities.

IX. COMMISSIONER ITEMS – Commissioner comments and reports

Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements and discussions of items proposed for action at future meetings.

The Commission would like to have an update on the 'hold over' funds that the Owyhee Conservation District requested. They want to know what type of equipment was purchased or will be purchased prior to the end of the fiscal year.

The Commission would also appreciate an update from staff on the action items listed in the Commission's strategic plan and an update on whether or not the dates listed in the plan need to be revised.

The Commission would like staff to provide them with a list of hotels/motels where they plan to meet and their lodging rates prior to each meeting.

The Commission thanked the staff for all their efforts.

X. STAFF ITEMS – Division Staff Comments

Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements and discussions of items proposed for action at future meetings.

None.

XI. PUBLIC COMMENT

Three-minute time limit per person, limited to items not on the agenda.

None.

XII. NEXT COMMISSION MEETING – *ACTION*

A. *Set time and place.* Due to staff obligations, the next meeting can only be held prior to June 10 or after June 25 but before June 30 at a site yet to be determined beginning at 9:30 or 10:00am. Staff needs to be clear on the availability of in-state travel funds prior to scheduling the site of the next meeting. The commission expressed interest in meeting in Tonopah for the next meeting if funding allows. Otherwise, it will likely be held in Reno or Carson City.

B. *Agenda Items.* Covered under item IX. No additional items were discussed.

XIII. ADJOURN – *ACTION*

Howard moved to adjourn the meeting at 3:50 pm. Keith seconded the motion and the motion passed.